UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte Effrain Torres, Rachel Elizabeth Myers and Randall Scott Saladin

Appeal No. _____
Application No. 09/827,803

APPEAL BRIEF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Effrain Torres et al.   Art Unit: 3625

Application No.: 09/827,803   Examiner: Matthew S. Gart

Filed: April 6, 2001

For: SYSTEM AND METHOD OF PLANNING A FUNERAL

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Commissioner for Patent
P.O. Box 1450
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APPEAL BRIEF

I. REAL PARTY IN INTEREST

This application is assigned to Forethought Financial Services, Inc.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF CLAIMS

Claims 1-4, 8-29, 59, 61-62, 65-66 and 70-93 are pending in the Application, stand rejected, and are now on appeal.

IV. STATUS OF AMENDMENTS

There have been no amendments filed subsequent to the final rejection mailed February 27, 2007.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Applicants' invention is generally directed to the steering of the creation of an online funeral plan according to a profile parameter or a budgetary parameter. More particularly, some embodiments associate user input with a profile or budgetary parameter and each product, service, and funeral home shares a database relationship with at least one such parameter. (Application, page 5, line 23 to page 6, line 1). As a result, a user can select and receive pricing information on products and services that are related to the implicated parameter, and incorporate them into their funeral plan. (Application, page 6, lines 2-8). The profile and budgetary parameters streamline the planning process by presenting the user with focused recommendations and steer users towards more efficient planning. (Application, page 16, lines 19-21).

Planning a funeral plan has conventionally been a daunting process for family members and pre-planners alike. Too often a bereaved loved one feels pressured and overwhelmed by memorial preparations. They are faced with memorial decisions such as ceremony preferences, financial arrangements, and casket or urn selections. Furthermore, they are faced with other considerations relating to transportation, floral displays, "personalizing" products and services, and "memorial items" or keepsakes. In making these decisions, family members and pre-planners often attend arrangement conferences or may view digitized listings of funeral products and services displayed on Internet web pages that are maintained by funeral suppliers and providers. (Application, page 1, lines 9-15 to page 1-12; page 3, lines 3-8).

However, at the arrangement conferences, family members and pre-planners are faced with more decisions as the funeral director discusses the various funeral products, services and costs available, utilizing visual aids, product catalogs, a product display board, and a casket selection room. For those that turn to the Internet, although the web pages can facilitate the planning process, conventional websites are not comprehensive or integrated and still require clients to attend personal arrangement conferences. (Application, page 2, lines 9-18; page 3, lines 11-13).

Embodiments consistent with the invention, on the other hand, address the drawbacks of conventional funeral planning processes by steering the generation of an online funeral plan

according to a profile parameter or a budgetary parameter. Independent claims 1 and 59 respectively recite a method (Application, page 16, lines 8-12) and a program product (Application, page 9, lines 6-23) for creating an online funeral plan utilizing a profile parameter. (Application, page 16, lines 13-18; FIG. 6, blocks 54, 170-196).

Specific support for the subject matter of claims 1 and 59 may be found as follows:

generating a plurality of groupings of products and services each associated with a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent (Application, page 10, lines 18-22; page 13, line 9 to page 14, line 3);

receiving user input associated with a profile parameter of the plurality of profile parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers (Application, page 3, line 20 to page 4, line 3; Application, page 13, lines 21-22; page 16, lines 12-18; page 19, line 21 to page 20, line 4; FIG. 6, blocks 54-196);

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers (Application, page 5, lines 23, to page 6, line 3), wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning (Application, page 13, line 22 to page 14, line 3; page 16, line 14-18), and to individually and collectively accord the with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent (Application, page 16, line 14-18), wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services (Application, page 3, lines 21-22, page 5, lines 16-19), and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider (Application, page 5, lines 16-19);

steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by prompting user selections from the grouping of products and services associated with the profile parameter (Application, page 16, lines 14-21); and

outputting the requested pricing information to the user (Application, page 14, lines 17-19).

Independent claims 70 and 93 respectively recite a method (Application, page 26, lines 4-6) and a program product (Application, page 9, lines 6-23) for creating an online funeral plan utilizing a budgetary parameter. (Application, page 26, lines 4-21; FIG. 8, blocks 60-62, 162-166).

Specific support for the subject matter of claims 70 and 93 may be found as follows:

generating a plurality of groupings of products and services each associated with a budgetary parameter that relates to a budgetary preference of a user (Application, page 10, lines 18-22; page 13, line 9 to page 14, line 3);

receiving user input associated with a budgetary parameter of the plurality of budgetary parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers (Application, page 3, line 20 to page 4, line 3; Application, page 13, lines 21-22; page 26, lines 12-15; page 27, lines 7-12; FIG. 8, blocks 60-166);

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers (Application, page 5, line 23 to page 6, line 3), wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral (Application, page 13, line 22 to page 14, line 3; page 26, lines 17-21), and to individually and collectively accord the budgetary parameter (Application, page 26, lines 17-21), wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services (Application, page 3, lines 21-22, page 5, lines 16-19), and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider (Application, page 5, lines 16-19);

steering generation of the funeral plan according to the budgetary parameter that relates to the budgetary preference of the user by prompting user selections from the grouping of products and services associated with the budgetary parameter; (Application, page 26, lines 9-21); and

outputting the requested pricing information to the user (Application, page 14, lines 17-19).

For program product claims 59, 61-62, and 93, support for the recited program code and signal bearing medium can be found at page 9, lines 6-23 of the Application.

Additionally, independent claim 65 recites a method for creating an online funeral plan by interacting with a user via a selected funeral service provider web site among a plurality of funeral service provider web sites (Application, page 4, lines 4-7) and forwarding user input from a selected funeral service provider web site to a central database associated with the plurality of funeral service provider web sites to retrieve product and/or service information

associated with a product or service from the database. (Application, page 4, lines 4-7; page 15, line 21 to page 16, line 1).

Other support for the claimed subject matter may generally be found in FIGS. 3-5 and the accompanying text at pages 10-22 and 26-30 of the Application as filed. In addition, it should be noted that, as none of the claims recite any means plus function or step plus function elements, no identification of such elements is required pursuant to 37 CFR §41.37(c)(1)(v). Furthermore, there is no requirement in 37 CFR §41.37(c)(1)(v) to provide support for the subject matter in the separately argued dependent claims, as none of these claims recite means plus function or step plus function elements, and so no discussion of any of these claims is provided.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A.   Claims 59, 61-62 and 93 are rejected under 35 U.S.C. § 101.

B.   Claims 1-4, 8-29, 59, 61-62, 65-66 and 70-93 are rejected un 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0032093 by Segal (*Segal*) in view of U.S. Patent Application Publication No. 2002/0046046 by Barrott (*Barrott*).

VII. ARGUMENT

A. Claims 59, 61-62 and 93 satisfy Section 101

Applicants respectfully submit that the Examiner's rejections of claims 59, 61-62 and 93, for program products, are not supported on the record, and should be reversed. In particular, the Examiner alleges on page 4 of the Final Office Action submitted on February 27, 2007 that claims 59, 61-62 and 93 "are merely directed to a computer program stored on a computer readable medium, however the stored program is not positively being executable by a computer (or equivalent structural device)."

A program, however, by its very nature, is "executable by a computer." Applicants are not aware of any requirement that a program be positively executed in a program product claim, and in fact, requiring such "positive execution" of a program in a program product claim would effectively render a program product claim pointless. Furthermore, the Federal Circuit, in its latest holding regarding the statutory nature of signals and physical media, In re Nuitjen, No. 06-1371 (Fed. Cir. 2007), placed no such requirement on the claims at issue. Indeed, the Federal Circuit did not even consider it necessary to address whether the data embedded on the claimed signals was functional or non-functional, and other claims that were allowed by the Office, and not reversed by the Federal Circuit, merely recited "[a] storage medium having stored thereon a signal with embedded supplemental data . . . ," subject matter that was unquestionably less functional than the program recited in the claims rejected herein.

The Examiner's reliance on In re Warmerdam, 3 F.3d 1354 (Fed. Cir. 1994) is misplaced, as Warmerdam does not even address program-product type claims where a tangible storage medium is recited. Warmerdam merely addresses claims argued to be directed to mere abstract ideas, and as such Applicants submit Warmerdam does not require positive execution of a program in order to render a program product type claim statutory.

Applicants therefore respectfully request reversal of the Examiner's rejections under Section 101.

B. Claims 1-4, 8-29, 59, 61-62, 65-66 and 70-93 are non-obvious over *Segal* and *Barrott*.

Applicants respectfully submit that the Examiner's rejections of claims 1-4, 8-29, 59, 61-62, 65-66 and 70-93 are not supported on the record, and should be reversed. All such claims have been rejected as being obvious over the prior art cited by the Examiner.

Based upon the Supreme Court's decision in KSR International Co. v. Teleflex Inc., 127 S. Ct. 1727, 1734, 82 USPQ2d 1385, 1391 (2007), a *prima facie* showing of obviousness still requires that the Examiner establish that the differences between a claimed invention and the prior art "are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art." 35 U.S.C. §103(a). Such a showing requires that all claimed features be disclosed or suggested by the prior art. Four factors

generally control an obviousness inquiry: 1) the scope and content of the prior art; 2) the differences between the prior art and the claims; 3) the level of ordinary skill in the pertinent art; and 4) secondary considerations of non-obviousness, such as commercial success of products covered by the patent claims, a long felt but unresolved need for the invention, and failed attempts by others to make the invention. KSR, 127 S. Ct. at 1734 (quoting Graham v. John Deere Company, 383 U.S. 1, 17-18 (1966)) ("While the sequence of these questions might be reordered in any particular case, the [Graham] factors continue to define the inquiry that controls.").

Moreover, in KSR, the Court explained that "[o]ften, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue" and "[t]o facilitate review, this analysis should be made explicit." KSR, 127 S. Ct. at 1740-41 citing In re Kahn, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) ("[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness"). But, not every combination is obvious "because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known." KSR, 127 S. Ct. at 1741.

As a result, after KSR, while there is no rigid requirement for an explicit "teaching, suggestion or motivation" to combine references, there still must be some evidence of "a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does" in an obviousness determination. KSR, 127 S. Ct. at 1731.

Applicants respectfully submit that, in the instant case, the Examiner has failed to establish a *prima facie* case of obviousness as to claims 1-4, 8-29, 59, 61-62, 65-66 and 70-93, as such, the rejections thereof should be reversed. Applicants' remarks in rebuttal to the Examiner's rejections are presented below, starting with the relevant independent claims. In some cases,

specific discussions of particular claims are not made in the interests of streamlining the appeal. The omission of a discussion with respect to any particular claim, however, should not be interpreted as an acquiescence as to the merits of the Examiner's rejection of the claim, particularly with respect to claims reciting features that are addressed in connection with the rejections applied to other claims pending in the appeal.

Independent Claim 1

Claim 1 generally recites a computer-implemented method for creating an online funeral plan, where the method includes generating a plurality of groupings of products and services each associated with a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent, receiving user input associated with a profile parameter of the plurality of profile parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers, and retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers. The grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord the with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent. In addition, each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and the database maintains pricing information for the set of products and services associated with each funeral service provider. The method also includes steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by prompting user selections from the grouping of products and services associated with the profile parameter, and outputting the requested pricing information to the user.

In rejecting claim 1, the Examiner relies on the combination of *Segal* and *Barrott*. The Examiner asserts that *Segal* discloses all of the limitations of claim 1, including a parameter that relates to personal funerary preference. In particular, the Examiner relies on paragraph [0044] among others, to argue that *Segal* discloses "steering generation of the funeral plan according to

the profile parameter that relates to the personal funerary preference of the decedent...."
However, *Segal*, instead, merely discloses a generic planning approach that permits the user to
broadly choose between burial or cremation paths, as one of the many possible options available
to users. Paragraph [0044] of *Segal* specifically states the following:

> "Referring to FIGS. 5, 7, 9, and 11, if the user chooses a traditional burial, the user is
> provided with options for securing a hearse and for buying a casket. Referring to FIGS. 6,
> 10, and 12, if the user chooses a cremation service, the user is presented with options for
> cremation providers as well as for purchasing urns. A priest, rabbi or other minister may
> also be selected to administer the services."

However, these alternative paths are generally within a larger system of choices
illustrated in FIG. 3 of *Segal*. As a result, the user may still become overwhelmed with choices,
which is one of the concerns the present invention seeks to address.

Even if the burial or cremation alternatives can be considered a parameter that relates to
the personal funerary preference of the decedent, it is important to note that the profile parameter
of claim 1, and claims depending on claim1, relates to <u>both</u> a personal funerary preference <u>and</u> a
lifestyle of a decedent. Applicants amended claim 1 to remove the wording "at least one of" in
their response dated January 8, 2007. However, it is evident from Examiner's Final Office
Action, dated February 27, 2007, that the Examiner has ignored this change, and continues to
incorrectly refer to the profile parameter of claim 1 as relating to at least one of a personal
funerary preference and a lifestyle of a decedent.

Moreover, the Examiner expressly acknowledged on page 6 of the Final Office Action
that *Segal* does not disclose a computer-implemented method for creating an online funeral plan,
the method comprising: generating a plurality of groupings of products and services each
associated with a profile parameter that relates to a personal funerary preference <u>and a lifestyle</u>
<u>of a decedent</u>. Indeed, *Segal* is completely silent with respect to the concept of a profile
parameter that relates to a <u>lifestyle of a decedent</u>.

Barrott, however, fails to address the shortcomings of *Segal*. The Examiner relies on
paragraph [0101] of *Barrott* for allegedly disclosing a lifestyle of a decedent. Paragraph [0101]
of *Barrott* discloses "[a] 'Feature' field 173 [that] can be selected to indicate a special feature of

the product, such as oversized caskets, and will only be displayed if a 'Features' button is selected on the page a user is viewing." According to the Examiner, "[i]n this working example of *Barrott*, an oversized casket is chosen on the lifestyle of the deceased, wherein an individual's size is a personal characteristic of the individual."

First of all, *Barrott* is not even prior art against the present application for the lifestyle claim limitation. Specifically, the present application was filed on April 6, 2001, and claims priority to U.S. Provisional Patent App. Serial No. 60/216567, filed July 7, 2000. In contrast, *Barrott* was filed on July 2, 2001, roughly three months after the filing date of the instant application, and nearly a year after the date of Applicants' provisional application. *Barrott* is a continuation-in-part of application No. 09/409,566, which was filed on Sept. 30, 1999; however, parent application No. 09/409,566 does not disclose the feature field and the oversized caskets mentioned in paragraph [0101] of *Barrott*. Application No. 09/409,566 also does not illustrate the feature field of FIG. 9b of *Barrott*, which paragraph [0101] of *Barrott* describes, in any of the drawings. In particular, the feature field is clearly absent from FIG. 9 of application No. 09/409,566.

According to MPEP Section 608.04(a), "Matter not in the original specification, claims, or drawings is usually new matter". Thus, paragraph [0101] of *Barrott* constitutes new matter, and, new matter in a continuation-in-part application such as *Barrott* does not receive the benefit of the earlier filing date, instead, new matter receives the filing date of the continuation-in-part. Therefore, the feature fields and oversized caskets mentioned in paragraph [0101] of *Barrott* receive an effective filing date of July 2, 2001 of *Barrott*, which is after the filing date of the present application of April 6, 2001. As such, contrary to the Examiner's allegations, *Barrott* is not prior art with respect to the present application for the lifestyle claim limitation.

Secondly, even if *Barrott* was prior art for the subject matter on which the Examiner relies, *Barrott* still fails to disclose or suggest planning approaches specifically tailored to a profile/lifestyle interest of a user. More particularly, the conventional, *Barrott* approach generally presents an ala carte listing of all products, or permits the user to broadly choose between burial or cremation selection paths (beginning at paragraph [0142]). Pricing data is made available to a user in *Barrott* only after selections have been made (paragraph [0012]).

Moreover, *Barrott* makes no mention of a decedent's lifestyle, let alone in the context of steering a planning session. As a consequence, the resultant choices in *Barrott* are presented to the user irrespective of whether the user has any lifestyle-related interest in them. The planner may also become overwhelmed with choices and/or may have to go back and change selections after realizing they lack relevance to a decedent's life.

Furthermore, the feature field referenced by the Examiner is not a criteria utilized to steer the creation of a funeral plan. According to paragraphs [0097]-[0098], after a "privilege user" clicks on a search button, Product Selection page 156 in FIG. 9b presents all the products in the database that meet the search criteria. The "privilege user," however, is an administrator or similar person that is interacting with the *Barrott* system for the purpose of updating a product database. The interaction described in connection with paragraph [0101] is irrelevant to the funeral planning process, and indeed, the search being performed is a search intended to locate items that need to be managed, e.g., to change the price or description of the items.

As depicted in FIG. 9b of *Barrott*, the feature field 173 appears in the Product Selection page 156 after the privileged user has already searched the database, and the privileged user may then further select the feature field. Thus, the output of Product Selection page 156 is not dependent upon or steered by the feature field.

Furthermore, the feature field of paragraph [0101] that can be selected to indicate a special feature of the product, such as an oversized casket, indicates a characteristic of a casket, of a product, not what is commonly thought of as a lifestyle of a decedent, of a human being. According to the present application, a lifestyle may be a professional or personal characteristic of a deceased, such as being a sportsman. Thus, the Examiner's use of "oversized" to show that *Barrott* discloses or suggests a lifestyle parameter is incorrect and inconsistent with lifestyle parameters disclosed in the present application. (Application, page 19, lines-16-19).

Although the Examiner states that he is to give the claims their broadest reasonable interpretation in view of the specification, the Examiner has given "lifestyle of a decedent" an unreasonable interpretation in view of the specification. As stated in the Application, page 19, lines 17-21, Applicants seek to facilitate users with honoring and celebrating the lives of decedents. In particular, "...recommendations that honor a professional or personal

characteristic of a deceased" may be provided, such as a nature vignette for an avid sportsman, or a military funeral to "...celebrate an aspect of a veteran's life...". Users, however, generally do no want to honor or celebrate the physical size of a decedent, especially when the decedent is overweight or "oversized". As such, the Examiner has made an unreasonable interpretation of the claim limitation "a lifestyle of a decedent" in view of the specification.

Claim 1, on the other hand, recites generating a plurality of groupings of products and services each associated with a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent, receiving user input associated with a profile parameter, retrieving in response to the user input the requested pricing information of products and services associated with the profile parameter, steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent...by prompting user selections from the grouping of products and services associated with the profile parameter, and outputting the requested pricing information to the user.

Rather than presenting a planner with an overwhelming amount of all available products, the claimed planning approach of claim 1 focuses users by initially recommending products and/or services that already conform to a lifestyle-profile parameter. After first receiving the parameter from the user, Applicants' system presents the user with pricing information for goods and/or services already associated with that parameter. The products and services are carefully designed to individually and collectively accord with the lifestyle parameter while completing aspects of the funeral plan. The user's planning is steered according to the profile-lifestyle parameter to make more informed and focused selections while creating or selecting a funeral plan.

Using the profile approach of claim 1, user input is matched to product and service recommendations that conform to the user's profile. The profile approach thus streamlines the planning process by presenting a client with focused recommendations. The approach steers time conscious users to more efficiently achieve a plan by pairing a profile parameter with at least one funerary good or service. Similarly, the approach steers clients who possess only a vague or limited funerary preference, and who are open to professional recommendations.

Thus, the combination of *Segal* and *Barrott* falls short of disclosing each and every feature of claim 1. In particular, neither discloses or suggests steering the creation of a funeral plan on a profile parameter that relates to a personal funerary preference <u>and</u> a lifestyle of a decedent, as well as the other limitations of claim 1. The combination of *Segal* and *Barrott* still does <u>not</u> teach or suggest each and every element of the pending claims, which is a requirement that has <u>not</u> changed after *KSR*.

Applicants also respectfully submit that the rejection is improperly reliant on hindsight. Specifically, neither reference discloses or suggests steering the creation of a funeral plan on a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent. *Segal* and *Barrott* merely disclose ala carte listing of all products with the possibility of alternative burial and cremation paths. In particular, Applicants submit that *Barrott* does not provide any motivation to one of ordinary skill in the art to modify *Segal* to include a lifestyle of a decedent. Applicants also submit that Examiner has not otherwise provided any credible reason why one of ordinary skill in the art would be motivated to modify *Segal*.

The Examiner's statement on page 7 of the Final Office Action, mainly that "it would have been obvious to a person of ordinary skill in the art to have modified the method of *Segal* to have included the teachings of *Barrott* as discussed above in order to allow a funeral provider to inform families and friends about additional products not physically displayed on the showroom floor of a funeral home (Barrott: paragraph 0006)" does not explain why someone of ordinary skill in the art would be motivated to modify *Segal* to include a parameter in the form of a lifestyle of a decedent, and as such, does not satisfy the requirements of <u>KSR.</u> <u>KSR</u>, 127 S. Ct. at 1740-41 citing <u>In re Kahn</u>, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006) ("[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness").

The Examiner's purported reason in this instance is so broad and amorphous such that, standing alone, it would effectively render practically every commerce-related and/or funeral-related invention obvious in view of what has already been developed in the prior art. Applicants submit that the reasons for combining references must at least be directed to the reasons for combining the specific features of the references to arrive at a claimed invention.

As an example, claim 1 recites, in part, steering of the creation of a funeral plan based upon a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent. The Examiner's purported reasons for combining the references, relates to physical space. The Examiner's reason is consistent with the ala carte listing of products in a virtual space due to the limited quantity of physical space, but space has nothing to do with streamlining the creation of a funeral plan by initially recommending products and services that already conform to a lifestyle-profile parameter. While *KSR* may have removed the strict adherence to requiring a specific teaching, suggestion or motivation, Applicants submit that *KSR* does not stand for the proposition that ambiguous reasons can be the genesis for making specific modifications to the teachings of a reference, where no reason otherwise exists to make those specific modifications. Were that the case, practically every semiconductor invention that happens to make a semiconductor smaller and/or faster would be obvious in view of the general desire in the art to make semiconductors smaller and faster. Likewise, in this case, there would need to be a recognized reason for incorporating Applicants' claimed profile parameter that relates to a lifestyle of a decedent, which is used to steer the generation of a funeral plan according to the profile parameter, into *Segal*. Applicants respectfully submit that no such reason has been proffered or exists, and as such, the Examiner's rejections should be reversed.

Lastly, the Examiner has attempted to rebut Applicants' arguments on pages 13-14 of the Final Office Action. First, in response to Applicants' argument that *Barrott* does not disclose or suggest planning approaches tailored to a profile/lifestyle interest of a user, the Examiner argues that the originally filed application defines a lifestyle as a personal characteristic of the deceased and that paragraph [0101] of *Barrott* discloses "a method wherein a 'Feature' field 173 can be selected to indicate a special feature of the funeral plan, such as an oversized casket. In this working example of *Barrott*, an oversized casket is chosen on the lifestyle of the deceased, wherein an in individual's size is a personal characteristic of the individual." First of all, as stated above, *Barrott* is not prior art against the present application for the lifestyle claim limitation. Second, as stated above, the feature field that can be selected to indicate a special feature of the product, such as an oversized casket, indicates a characteristic of the casket, of a product, akin to the color of a casket, etc. not what is commonly thought of as a lifestyle of a decedent, of a human being. Although the Examiner states that he is to give the claims their

broadest reasonable interpretation in view of the specification, the Examiner has given "lifestyle of a decedent" an unreasonable interpretation in view of the specification.

The Examiner has also attempted to rebut Applicants' arguments that the prior art does not disclose steering according to a parameter by stating that "...Segal discloses a method wherein if the user chooses a traditional burial, the user is steered towards options for securing a hearse and for buying a casket." He also argues that *Segal* discloses that "[i]f the user chooses a cremation service, the user is steered towards options for cremation providers as well as for purchasing urns (Segal: paragraph 0044)". However, as argued above, *Barrott* does not disclose or suggest a lifestyle and steering requires steering according to a parameter that relates to both the personal funerary preference and lifestyle of a decedent. Thus, steering according to the limitations of claim 1 is not disclosed nor suggested by *Segal* or *Barrott*, alone, or in combination.

As such, Applicants submit that the Examiner has failed to establish a *prima facie* case of obviousness as to claim 1. Reversal of the Examiner's rejection and allowance of claim 1, and of claims 2-4 and 8-29 which depend therefrom, are therefore respectfully requested.

Dependent Claim 2-4, 8-29

Dependent Claims 2-4 and 8-29 are not argued separately.

Independent Claim 59

Claim 59 recites a program product, including in part a program configured to generate a plurality of groupings of products and services each associated with a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent, to receive user input associated with a profile parameter of the plurality of profile parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers, and to retrieve in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the profile parameter and offered by the

plurality of funeral service providers. The grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent, where each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and the database maintains pricing information for the set of products and services associated with each funeral service provider. The program is also configured to steer generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by prompting user selections from the grouping of products and services associated with the profile parameter, and output the requested pricing information to the user.

As discussed above in connection with claim 1, this combination of features is not disclosed or suggested by the combination of *Segal* and *Barrott*. Accordingly, claim 59 is non-obvious over these references for the same reasons as presented above for claim 1. Reversal of the Examiner's rejections, and allowance of claim 59, and of claims 61-61 which depend therefrom, are therefore respectfully requested.

Dependent Claims 61 and 62

Dependent claims 61 and 62 are not argued separately.

Independent Claim 65

Claim 65 recites a computer-implemented method for creating an online funeral plan, where the method includes interacting with a user via a selected funeral service provider web site among a plurality of funeral service provider web sites, and forwarding user input from a selected funeral service provider web site to a central database associated with the plurality of funeral service provider web sites to retrieve product and/or service information associated with a product or service from the database.

In rejecting claim 65, the Examiner fails to comply with Section 706.02(j) Contents of a 35 U.S.C. 103 Rejection of the MPEP, which states that "...the examiner should set forth in the

Office Action: (A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate...." On the other hand, the Examiner simply states on page 12 of the Final Office Action that claims 65-66 are rejected under the same rationale as claims 1-4 and 8-29.

Claims 1-4 and 8-29, however, deal with steering the generation of a funeral plan with a profile parameter, not specifically with interacting and forwarding in the context of websites, as is the subject matter of claim 65. The rejection of claim 65 is therefore deficient on its face and should be reversed.

Moreover, with respect to the subject matter actually recited in claim 65, neither *Barrott* nor *Segal* discloses or suggests the claimed interaction and forwarding of user input between a funeral service provider website and a multi-provider central database. The disclosure of *Barrott,* for instance, is limited to navigation on a single website, and *Segal* does not disclose or suggest any arrangement where user input supplied to a funeral service provider web site is forwarded to a central database associated with a plurality of funeral service provider web sites. The Examiner's analysis of claim 65 is superficial at best, and given that neither reference discloses or suggests the claimed relationship between a funeral service provider web site and a multi-provider central database, claim 65 is patentable over the cited references. Applicants therefore respectfully submit that the Examiner has failed to meet the burden required to establish a *prima facie* case of obviousness as to claim 65. Reversal of the Examiner's rejection of claim 65, and of claim 66 which depends therefrom, is therefore respectfully requested.

Dependent Claim 66

Dependent claim 66 is not argued separately.

Independent Claim 70

Claim 70 recites a computer-implemented method for creating an online funeral plan, where the method includes generating a plurality of groupings of products and services each associated with a budgetary parameter that relates to a budgetary preference of a user, receiving user input associated with a budgetary parameter of the plurality of budgetary parameters to

obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers, and retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers, where the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord the budgetary parameter, and where each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and the database maintains pricing information for the set of products and services associated with each funeral service provider. The method also includes steering generation of the funeral plan according to the budgetary parameter that relates to the budgetary preference of the user by prompting user selections from the grouping of products and services associated with the budgetary parameter, and outputting the requested pricing information to the user.

In rejecting claim 70, however, the Examiner once again fails to comply with Section 706.02(j) Contents of a 35 U.S.C. 103 Rejection of the MPEP, which states that "…the examiner should set forth in the Office Action: (A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate…." Specifically, the Examiner does not indicate where in *Segal* or *Barrott* a budgetary parameter is suggested or disclosed. The Examiner states that Claims 70-93 are rejected under the same rationale as set forth above in claims 1-4 and 8-29, but these claims deal with "a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent", not budgetary parameters. The rejection of claim 70 is therefore deficient on its face and should be reversed.

With respect to the budgetary parameter, neither *Segal* or *Barrott*, nor the combination of *Segal* and *Barrott*, teach or suggest a budgetary parameter for steering the generation of a funeral plan. For instance, although paragraph [0035] of *Segal* indicates that their invention "…permits the matching function to be made based on any one or more criteria, including …price and quality," paragraph [0035] further discloses that after consumers make their choices, then consumers may submit their choices and try to match the desired services with a local Member

Merchant based upon the prices offered by that merchant, among other criteria. Thus, any use of price happens after the user has made his or her selections.

Furthermore, although fields 161 in FIG. 9a of *Barrott* allow a user to enter prices and search for products within a certain price range, the wording above fields 161 illustrates that *Barrott* does not steer according to a budgetary parameter and this is just another example of the ala carte product listing of *Barrott*. The wording says, "Enter prices below to search for specific product prices. Leave blank to view all records. Example: Greater than or Equal to 1000 and Less than or Equal to 4500." The wording indicates that products that cost a price satisfying the criteria will be displayed to the user, such as all caskets-metal in field 157 satisfying that monetary range, as such, however, a user may have to repeat this same process for each category of products whose price the user wants to restrict. For instance, the user may have to enter prices for each of the other ten categories in field 157 (i.e., casket-wood, panels-embroidered, panels-phot, urns, keepsakes, etc.), another example of the frustrating process that the tailored recommendations provided by the claimed budgetary approach seek to ameliorate.

Barrott also does not teach or suggest receiving user input associated with a budgetary parameter to obtain requested pricing information on a product or service associated with the budgetary parameter. The running total disclosed in paragraph [0081] of *Barrott* merely informs users of the current plan cost, and fails to suggest making recommendations based on budget constraints. As a result, a *Barrott* user may be forced to go back and change items to conform to their budget (only after gleaning from the running total that they are over that budget).

While *Barrott* generally discloses a generic planning approach, *Barrott* fails to disclose or suggest planning approaches specifically tailored to a budgetary parameter. More particularly, the conventional, *Barrott* approach generally presents an ala carte listing of all products, as a consequence, the resultant choices in *Barrott* are generally presented to the user irrespective of whether the user can actually afford them. As a result, the planner may be overwhelmed with choices and/or may have to go back and change selections after realizing they are, for instance, over budget.

This relatively haphazard and frustrating process contrasts the tailored recommendations provided by the claimed budgetary approach. More specifically, the budgetary approach

promotes the entry of user input in a format that is readily associated with an established budgetary parameter. Exemplary budgetary parameters include household income, as well as insurance and/or geographic considerations. The implicated parameter used to automatically make recommendations for a good, service or plan with which it is associated. Each recommendation presented to the user meets, complements or otherwise conforms to the input budget of the client.

Claim 70 recites generating a plurality of groupings of products and services each associated with a budgetary parameter that relates to a budgetary preference of a user, receiving user input associated with the budgetary parameter, retrieving in response to the user input the requested pricing information of products and services associated with the budgetary parameter, steering generation of the funeral plan according to the budgetary profile...by prompting user selections from the grouping of products and services associated with the budgetary parameter, and outputting the requested pricing information to the user.

Thus, rather than presenting a planner with an overwhelming amount of all available products, the claimed planning approaches focus users by initially recommending products that already conform to a budgetary parameter. After first receiving the parameter from the user, Applicants' system presents the user with pricing information for goods and/or services already associated with that parameter. The products are services are carefully designed to individually and collectively accord with the budgetary parameter while completing aspects of the funeral plan. The user's planning is steered according to the budgetary parameter to make more informed and focused selections while creating or selecting a funeral plan.

Using the budgetary approach of claim 70, user input is matched to product and service recommendations that conform to the user's budget. The budget approach thus streamlines the planning process by presenting a client with focused recommendations. The approach steers time conscious users to more efficiently achieve a plan by pairing a budgetary parameter with at least one funerary good or service. Similarly, the approach steers clients who possess only a vague or limited funerary preference, and who are open to professional recommendations.

As such, the combination of *Segal* and *Barrott* falls short of disclosing each and every feature of claim 70. In particular, neither discloses or suggests the creation of a funeral plan

based upon a budgetary parameter as well as the other limitations of claim 70. Applicants also respectfully submit that the rejection is improperly reliant on hindsight, and as the Examiner has not otherwise provided any credible reason why one of ordinary skill in the art would be motivated to modify *Segal* to include a budgetary parameter for steering generation of a funeral plan, as would be required to find claim 70 obvious.

As such, Applicants submit that the Examiner has failed to establish a prima facie case of obviousness as to claim 70. Reversal of the Examiner's rejection and allowance of claim 70, and of claims 71-92 which depend therefrom, are therefore respectfully requested.

Dependent Claims 71-92

Dependent claims 71-92 are not argued separately.

Independent Claim 93

Claim 93 recites a program product, including in part a program configured to generate a plurality of groupings of products and services each associated with a budgetary parameter, to receive user input associated with a budgetary parameter of the plurality of budgetary parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers, and to retrieve in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers. The grouping of products and services are preselected to complement each other, complete aspects of funeral planning, and to individually and collectively accord the budgetary parameter. Each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and the database maintains pricing information for the set of products and services associated with each funeral service provider. The program is also configured to steer generation of the funeral plan according to the budgetary parameter that relates to the budgetary preference of the user by prompting user selections from the grouping of products and services associated with the

budgetary parameter, and output the requested pricing information to the user, and a tangible, computer-readable medium bearing the program.

As discussed above in connection with claim 70, this combination of features is not disclosed or suggested by the combination of *Segal* and *Barrott*. Furthermore, the Examiner's rejection is deficient on its face as the Examiner has failed to address the specific claim language of claim 93. Accordingly, claim 93 is non-obvious over these references for the same reasons as presented above for claim 70. Reversal of the Examiner's rejections, and allowance of claim 93 are therefore respectfully requested.

CONCLUSION

In conclusion, Applicants respectfully request that the Board reverse the Examiner's rejections of claims 1-4, 8-29, 59, 61-62, 65-66 and 70-93, and that the Application be passed to issue. If there are any questions regarding the foregoing, please contact the undersigned at 513/241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

October 1, 2007
Date

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VIII. CLAIMS APPENDIX: CLAIMS ON APPEAL (S/N 09/827,803)

1. (Previously Presented) A computer-implemented method for creating an online funeral plan, the method comprising:

generating a plurality of groupings of products and services each associated with a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent;

receiving user input associated with a profile parameter of the plurality of profile parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers;

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord the with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider;

steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by prompting user selections from the grouping of products and services associated with the profile parameter; and

outputting the requested pricing information to the user.

2. (Original) The method of claim 1, further comprising selecting a funeral service provider from the plurality of funeral service providers in response to the user input.

3. (Previously Presented) The method of claim 2, further comprising selecting the funeral service provider from a plurality of funeral homes based on criteria chosen from the group consisting of: location, services, products, capacity, pricing information, appearance and reputation.

4. (Original) The method of claim 1, further comprising receiving user input from the user to select a collection of products and services to include in the funeral plan.

5. - 7. (Cancelled)

8. (Original) The method of claim 1, further comprising processing funding of the funeral plan using a payment method selected from the group consisting of: an electronic debit, credit card, insurance, or trust fund.

9. (Previously Presented) The method of claim 1, wherein the steering of the generation of the funeral plan further comprises personalizing aspects of the funeral plan to reflect a religious, professional, personal, or ethnic desire of a deceased in accordance with the user profile parameter and in response to user input.

10. (Original) The method of claim 1, further comprising storing contact information of a family member, friend or associate of the user for notification of a decedent's death.

11. (Original) The method of claim 1, further comprising electronically storing the funeral plan for later retrieval.

12. (Original) The method of claim 1, further comprising initiating the electronic display of the funeral plan on a web site.

13. (Original) The method or claim 1, further comprising modifying the funeral plan in response to user input.

14. (Original) The method of claim 1, further comprising directing user input to a web site, and communicating the pricing information for a products or service to the user via the web site, wherein the pricing information is retrieved from the database.

15. (Original) The method of claim 1, wherein the pricing of a product or service is guaranteed, the method further comprising initiating a display to the user of an electronic image or text representing terms of the guarantee.

16. (Original) The method of claim 1, further comprising initiating the display of an image representative of the product or service to a user.

17. (Original) The method of claim 1, further comprising scheduling a meeting with a death care professional in response to user input.

18. (Original) The method of claim 17, further comprising initiating the display of contact information to the user enabling personal or electronic communication with the death care professional.

19. (Original) The method of claim 1, further comprising retrieving an estimated cost from the database for a non-guaranteed item.

20. (Original) The method of claim 19, wherein the non-guaranteed item is selected from the group consisting of: a floral arrangement, musical performance, clergy, transportation and honorarium costs.

21. (Original) The method of claim 19, further comprising storing a currency value indicative of client funds that are budgeted to pay for the non-guaranteed item.

22. (Original) The method of claim 1, further comprising storing information related to donations.

23. (Original) The method of claim 1, further comprising initiating the display of a payment status of the funeral plan to the user.

24. (Original) The method of claim 1, wherein the pricing information includes bids from at least a subset of the plurality of funeral service providers.

25. (Original) The method of claim 1, further comprising relating an offer for the product or service from the user to at least a subset of the plurality of funeral service providers, wherein the offer includes a price range.

26. (Original) The method of claim 1, further comprising associating and recommending to the user a complementary item from the plurality of products and services in response to the user selecting the product or service.

27. (Original) The method of claim 1, further comprising initiating the display of educational information, counseling and Internet links related to the product or service.

28. (Original) The method of claim 1, further comprising verifying the availability of the product or service from among the plurality of funeral service providers.

29. (Original) The method of claim 1, further comprising encrypting user data and funeral plan information in conjunction with creating the funeral plan.

30. - 58. (Cancelled)

59. (Previously Presented) A program product, comprising:

a program configured to generate a plurality of groupings of products and services each associated with a profile parameter that relates to a personal funerary preference and a lifestyle of a decedent and to receive user input associated with a profile parameter of the plurality of profile parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers; retrieve in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider; steer generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by prompting user selections from the grouping of products and services associated with the profile parameter; and output the requested pricing information to the user; and

a tangible, computer-readable medium bearing the program.

60. (Cancelled)

61. (Previously Presented) The program product of claim 59, wherein the medium is selected from among the group comprising a volatile memory device, a non-volatile memory device, a removable disk, a hard disk drive and an optical disk.

62. (Previously Presented) The program product of claim 59, wherein the medium resides on a hardware system of the user.

63. –64. (Cancelled)

65. (Original) A computer-implemented method for creating an online funeral plan, the method comprising:

interacting with a user via a selected funeral service provider web site among a plurality of funeral service provider web sites;

forwarding user input from a selected funeral service provider web site to a central database associated with the plurality of funeral service provider web sites to retrieve product and/or service information associated with a product or service from the database.

66. (Original) The method of claim 65, further comprising allowing retrieval of product and/or service information from the database in response to interaction with a user via the selected funeral service provider web site to only a subset of the database that corresponds to products and services offered by a funeral service provider associated with the selected funeral service provider web site.

67. - 69. (Cancelled)

70. (Previously Presented) A computer-implemented method for creating an online funeral plan, the method comprising:

generating a plurality of groupings of products and services each associated with a budgetary parameter that relates to a budgetary preference of a user;

receiving user input associated with a budgetary parameter of the plurality of budgetary parameters to obtain requested pricing information on a product or service

offered by a selected funeral service provider among a plurality of funeral service providers;

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord the budgetary parameter, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider;

steering generation of the funeral plan according to the budgetary parameter that relates to the budgetary preference of the user by prompting user selections from the grouping of products and services associated with the budgetary parameter; and

outputting the requested pricing information to the user.

71. (Previously Presented) The method of claim 70, further comprising selecting a funeral service provider from the plurality of funeral service providers in response to the user input.

72. (Previously Presented) The method of claim 71, further comprising selecting the funeral service provider from a plurality of funeral homes based on criteria chosen from the group consisting of: location, services, products, capacity, pricing information, appearance and reputation.

73. (Previously Presented) The method of claim 70, further comprising processing funding of the funeral plan using a payment method selected from the group consisting of: an electronic debit, credit card, insurance, or trust fund.

74. (Previously Presented) The method of claim 70, further comprising personalizing aspects of the funeral plan to reflect a religious, professional, personal, or ethnic desire of a deceased in response to user input.

75. (Previously Presented) The method of claim 70, further comprising storing contact information of a family member, friend or associate of the user for notification of a decedent's death.

76. (Previously Presented) The method of claim 70, further comprising initiating the electronic display of the funeral plan on a web site.

77. (Previously Presented) The method or claim 70, further comprising modifying the funeral plan in response to user input.

78. (Previously Presented) The method of claim 70, wherein the pricing of a product or service is guaranteed, the method further comprising initiating a display to the user of an electronic image or text representing terms of the guarantee.

79. (Previously Presented) The method of claim 70, further comprising initiating the display of an image representative of the product or service to a user.

80. (Previously Presented) The method of claim 70, further comprising scheduling a meeting with a death care professional in response to user input.

81. (Previously Presented) The method of claim 80, further comprising initiating the display of contact information to the user enabling personal or electronic communication with the death care professional.

82. (Previously Presented) The method of claim 70, further comprising retrieving an estimated cost from the database for a non-guaranteed item.

83. (Previously Presented) The method of claim 82, wherein the non-guaranteed item is selected from the group consisting of: a floral arrangement, musical performance, clergy, transportation and honorarium costs.

84. (Previously Presented) The method of claim 82, further comprising storing a currency value indicative of client funds that are budgeted to pay for the non-guaranteed item.

85. (Previously Presented) The method of claim 70, further comprising storing information related to donations.

86. (Previously Presented) The method of claim 70, further comprising initiating the display of a payment status of the funeral plan to the user.

87. (Previously Presented) The method of claim 70, wherein the pricing information includes bids from at least a subset of the plurality of funeral service providers.

88. (Previously Presented) The method of claim 70, further comprising relating an offer for the product or service from the user to at least a subset of the plurality of funeral service providers, wherein the offer includes a price range.

89. (Previously Presented) The method of claim 70, further comprising associating and recommending to the user a complementary item from the plurality of products and services in response to the user selecting the product or service.

90. (Previously Presented) The method of claim 70, further comprising initiating the display of educational information, counseling and Internet links related to the product or service.

91. (Previously Presented) The method of claim 70, further comprising verifying the availability of the product or service from among the plurality of funeral service providers.

92. (Previously Presented) The method of claim 70, further comprising encrypting user data and funeral plan information in conjunction with creating the funeral plan.

93. (Previously Presented) A program product, comprising:

a program configured to generate a plurality of groupings of products and services each associated with a budgetary parameter and to receive user input associated with a budgetary parameter of the plurality of budgetary parameters to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers; retrieve in response to the user input the requested pricing information by accessing a database storing pricing information associated with a grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other, complete aspects of funeral planning, and to individually and collectively accord the budgetary parameter, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider; steer generation of the funeral plan according to the budgetary parameter that relates to the budgetary preference of the user by prompting user selections from the grouping of products and services associated with the budgetary parameter; and output the requested pricing information to the user; and

a tangible, computer-readable medium bearing the program.

IX. EVIDENCE APPENDIX

09/827,803

None.

X. RELATED PROCEEDINGS APPENDIX

09/827,803

None.